

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

E. ALLEN REEVES, INC.
Plaintiff,

v.
MICHAEL GRAVES & ASSOCIATES,
INC.
Defendant.

MICHAEL GRAVES & ASSOCIATES,
INC.

Counterclaimant,

v.
E. ALLEN REEVES, INC.
Counterdefendant.

MICHAEL GRAVES & ASSOCIATES,
INC.

Third Party Plaintiff,

v.
DAVID CHOU & ASSOCIATES; KELTER
& GILLIGO CONSULTING ENGINEERS;
FISHER MARANTZ STONE, INC.; THE
ARTS COUNCIL OF PRINCETON; SAL
ARNONE; JOHN DOES 1-50,
Third Party Defendants.

CIVIL ACTION

NO: 3:10-CV-01393-JAP-TJB

RECEIVED

SEP 27 2012

AT 8:30 M
WILLIAM T. WALSH, CLERK

THIRD JOINT STIPULATION TO EXTEND DEADLINES

Plaintiff, E. Allen Reeves, Inc. ("Reeves"), Defendant/Third-party Plaintiff, Michael Graves & Associates, Inc. ("Graves") and Third-party Defendants David Chou & Associates ("Chou"), Kelter & Gilligo Consulting Engineers ("K&G"), The Arts Council of Princeton ("ACP") and Sal Arnone, (collectively referred to herein as the "Parties"), hereby stipulate as follows:

1. The Close of Factual Depositions in the instant matter was originally scheduled for June 29, 2012.

2. By joint stipulation, entered as an Order by the Court on July 5, 2012, the Close of Factual Depositions was extended to August 31, 2012 and the deadlines for Affirmative expert reports, Rebuttal expert reports and Third-party rebuttal expert reports were extended to September 7, October 12 and November 16, 2012 respectively.

3. Subsequently, by joint stipulation, entered as an Order by the Court on August 16, 2012, the Close of Factual Depositions was again extended to October 5, 2012 and the deadlines for Affirmative expert reports, Rebuttal expert reports and Third-party rebuttal expert reports were extended to October 5, November 2 and November 30, 2012 respectively.

4. The deadline for bringing discovery or case management disputes to the attention of the Court, originally set for September 7, 2012 was extended to November 2, 2012

5. The Parties are currently engaged in finalizing the schedule of depositions of fourteen (14) party witnesses and one (1) third-party witness, including coordinating the schedules of attendance for counsel of the parties.

6. To date, several depositions have been adjourned due to existing conflicts for the parties being deposed.

7. On September 12, 2012, the Parties convened a telephone conference with the Honorable Judge Tonianne J. Bongiovanni in which the Parties addressed the need for a further extension to the current deadlines.

8. Therefore, the Parties, by stipulation and subject to approval of the Court, hereby request that the Court extend the Close of Factual Depositions established by this Court's January 5, 2012 Case Management Order and subsequent Orders of July 5 and August 16, 2012 respectively until November 30, 2012.

9. In light of the requested extension for depositions to continue through November 2, 2012, the Parties, by stipulation and subject to approval of the Court, hereby request that the Court extend the deadline for bringing discovery or case management disputes to the Court until

December 14, 2012.

10. Further, in light of the requested extension for depositions to continue through

November 2, 2012, the Parties, by stipulation and subject to approval of the Court, hereby

request that the Court convene a settlement conference between the Parties on or before

November 30, 2012.

11. This extension shall not affect any other deadlines set forth in the Court's January 5, 2012 Case Management Order and Joint Stipulation entered as an Order by the Court on August 16, 2012, including, but not limited to, the current October 5, 2012 deadline for serving Affirmative Expert Reports, the November 2, 2012 deadline for serving Rebuttal Expert Reports and the November 30, 2012 deadline for serving Third-party Rebuttal Expert Reports.

12. The Case Management Order currently states that "[e]xtensions to extend discovery beyond [the] dispositive motion [deadline] date [of December 14, 2012] must meet manifest injustice standard if denied."

13. This deadline has not yet passed and the parties are not requesting an extension to discovery beyond said December 14, 2012 deadline.

COHEN SEGLIAS PALLAS
GREENHALL & FURMAN, P.C.

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Date: September 26, 2012

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Date: September 26, 2012

SO ORDERED, this 27 day of September, 2012.

ber , 2012.
J. J. Bongiovani J.

ORDER ON ORAL MOTION